

SAN DIEGO POLICE DEPARTMENT - PERMITS AND LICENSING 1400 'E' STREET, MS-735, SAN DIEGO, CA 92101 Telephone No.: (619) 531-2250

MASSAGE ESTABLISHMENT



San Diego Municipal Code (SDMC), Section 33.0101(c) states you must have a valid Police Permit to operate a business designated as police regulated. You are responsible for being familiar with and complying with the rules and regulations related to massage. Copies of the Massage Ordinance and General Divisions for police regulated activities may be obtained from the City Clerk's office located at 202 C Street, 2nd Floor, Tel. No.: (619) 533-4000 or via the City's website: www.sannet.gov / (Department, City Clerk, Documents, Municipal Code) SDMC Chapter 3, Article 3, Division 35 and Divisions 1-5).

"MASSAGE" - means any method of pressure on, or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating the external parts of the human body with the hands or other parts of the body, with or without the aid of any mechanical or electrical apparatus or appliances, or with or without supplementary aids such as rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointments or other similar preparations commonly used in this practice.

<u>"MASSAGE ESTABLISHMENT"</u> - Means a fixed place of business where any person engages in massage. The person who possesses this permit does not need to be a massage therapist.

YOU MUST PROVIDE ALL OF THE FOLLOWING WHEN APPLYING FOR THE ABOVE MENTIONED POLICE PERMIT.

INCOMPLETE APPLICATION WILL NOT BE ACCEPTED:

- o <u>APPLICATION</u>, <u>BUSINESS ADDENDUM</u> and <u>STATEMENT OF UNDERSTANDING</u> (attached).
- BUSINESS TAX CERTIFICATE (BTC) A copy of your current BTC from the San Diego City Treasurer's Office, 1200 Third Avenue (1st Floor), San Diego, CA 92101 - (619) 615-1500.
- HEALTH PERMIT A copy of your current health permit from the County of San Diego, Environmental Health Services, 1255 Imperial Avenue (3rd Floor), San Diego, CA 92102 at Tel. No. (619) 338-2222.
- o **ZONING APPROVAL** (see Business Addendum) 1222 First Avenue, 3rd Floor. (619) 446-5000.
- <u>LIVE SCAN FINGERPRINTS</u> are required for all new applicants. Fill out the attached "Request for Live Scan Service" form and bring it with you to a Live Scan agency. (See attached list of locations.) The completed "Request for Live Scan Service" form is valid for only thirty (30) from the date your fingerprints are taken. After thirty (30) days you will be required to re-do your Live Scan fingerprints.
- LEASE OR PROOF OF OWNERSHIP A copy of your lease or rental agreement and amendments or proof of ownership for the property where the business is to be conducted.
- LIMITED PARTNERSHIP A copy of the limited partnership's certificate as filed with the County Clerk (if applicable).
- ARTICLES OF INCORPORATION A copy of the State of California's Articles of Incorporation must be submitted if a corporation is applying (if applicable).

- <u>IDENTIFICATION</u> Valid government issued photo identification card (i.e., driver's license, military I.D., passports are acceptable forms of identification.)
- <u>FEES</u> Cash, personal check, cashier's check, or money order for the following: \$1,707.00 Massage Establishment Regulatory; \$15.00 photo fee and \$104.00 Investigation fee (each applicant). Make checks payable to the "City Treasurer".

NO THIRD PARTY or OUT OF STATE CHECKS.

PLEASE NOTE: In order to legally perform a massage, you must be in possession of a valid police department-issued permit. You must also have an off-premise massage permit or a massage establishment permit or be a bona-fide employee of the following:

- 1. Someone who possesses a massage establishment permit; or
- 2. Someone who possesses a Holistic Health Practitioner Business permit pursuant to Division 44; or
- 3. Someone who is state licensed (individual) who is exempt pursuant to SDMC 33.3513, e.g., physicians, surgeons, chiropractors, physical therapists, etc. The exempt individual has to be physically present at the location while the massage is administered.

If you are a massage therapist working for any individual or business and you are not on their payroll because you are self-employed or treated as an independent contractor, then you are <u>not</u> considered an employee. If you are operating from a fixed location and not an employee of a licensee or exempt individual as stated above, you will need a massage establishment permit. A massage therapist cannot rent space. Any person desiring to engage in off-premise massage must also obtain an off-premise massage business permit. You <u>cannot</u> use an off-premise massage permit to operate from a fixed location.

INVESTIGATION PERIOD: A thirty (30) day investigation period begins at the time each completed application is submitted. A criminal records check will be made on each applicant.



SAN DIEGO POLICE DEPARTMENT - PERMITS AND LICENSING 1400 'E' STREET, MS-735, SAN DIEGO, CA 92101

Telephone No.: (619) 531-2250



APPLICATION

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☐ Employee ☐	Partner	Corporate Officer	LLC
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2.	ist previous occupations, places of employment and/or schooling for the last five (5) years.
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3. List <u>similar</u> permits or licenses issued by any agency or board, or any city, county, state or federal agency in the past five (5) years. <u>IF NONE, INITIAL HERE</u>:

1	TYPE OF LICENSE	LICENSE NUMBER	DATES HELD	CITY AND STATE
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4. Have you ever had any permit or license issued by any agency or board, or any city, county, state or federal agency suspended or revoked? Yes () No ()

If yes, please complete below:

CITY/STATE	DATE OF SUSPENSION OR REVOCATION	REASON
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It is the responsibility of the permit holder to renew the permit no later than ten (10) calendar days after the expiration date on the permit. Failure to renew on time will result in penalty fee of \$25.00 plus 10% of the regulatory fee. If a renewal is not completed with all fees and penalties paid within thirty (30) days after the permit expiration date, the permit expires and business operations, occupations, or activities allowed by the permit must cease. A permittee must then begin the application process as a new applicant (Section 33.0308 of the San Diego Municipal Code).

I declare under penalty of perjury that the statements made on this application, including accompanying documents, are true, complete and correct to the best of my knowledge and belief. I understand that any false statements or information are grounds for denial of this application or loss of licensure and that I may be subject to prosecution per section 11.0401(b) of the San Diego Municipal Code.

I AM AWARE THAT THE INVESTIGATION FEE IS NON-REFUNDABLE. I AM AWARE THAT I AM RESPONSIBLE FOR BEING FAMILIAR WITH AND COMPLYING WITH THE RULES AND REGULATIONS RELATED TO THE POLICE REGULATED BUSINESS OR OCCUPATION FOR WHICH I AM APPLYING. I AM AWARE THAT THE GRANTING OF A POLICE PERMIT DOES NOT RELIEVE ME FROM OBTAINING PERMITS OR APPROVALS REQUIRED BY THE CITY OF SAN DIEGO OR STATE OR FEDERAL LAW. I AM AWARE THAT THE GRANTING OF A POLICE PERMIT DOES NOT RELIEVE ME FROM COMPLYING WITH ALL APPLICABLE LOCAL, STATE, AND FEDERAL LAWS, INCLUDING THOSE RELATED TO BUILDING, ZONING, AND FIRE, AND OTHER PUBLIC SAFETY REGULATIONS. I AM AWARE THAT THE GRANTING OF A POLICE PERMIT DOES NOT VEST ANY DEVELOPMENT RIGHTS IN THE PROPERTY OR BUSINESS.

APPLICANT'S SIGNATURE	DATE OF APPLICATION

PLEASE BE ADVISED THE INFORMATION YOU PROVIDE ON YOUR APPLICATION MAY BE SUBJECT TO PUBLIC DISCLOSURE PER THE CALIFORNIA PUBLIC RECORDS ACT.



Police Permit Application BUSINESS ADDENDUM

SAN DIEGO POLICE DEPARTMENT 1400 'E' STREET · M.S. 735 · SAN DIEGO, CA 92101

PLEASE COMPLETE ALL SECTIONS IF APPLICABLE (TYPE OR PRINT LEGIBLY)



TYPE OF PERMIT:	LOCATION	<u> </u>		
☐ Sole Owner ☐ Partnership ☐ Corpo	oration LLC	•		
Business Name:		D.B.A		
Business Address :		Cit	ty & Zip:	
Mailing Address:			City	& Zip:
Business Tax Certificate #				
LIST ALL FICTITIOUS NAMES THE BUSINE	ESS WILL OPERATE OR	ADVERTISE UNDER:		
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IF APPLICANT IS A CORPORATION:				
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DATE: PHONE:		DATE:	PHONE:	
APPROVING OFFICER:		DATE:	1401 E (10)	

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I dec	lare under penalty of perjury that the stater orrect to the best of my knowledge and be of licensure and that I may be subject to pro	nents made on this application, lief. I understand that any false osecution per section 11.0401(b	including ac statements a) of the San	companying do re grounds for Diego Municip	ocuments, are true, complete denial of this application or al Code.
I AM FOR POL OF A THE PERI LAW REG	AWARE THAT THE APPLICATION BEING FAMILIAR WITH AND COMICE REGULATED BUSINESS OR OCCOMICE PERMIT DOES NOT RELIFIED OF SAN DIEGO, OR STATE OF MIT DOES NOT RELIFIED THE FROM THE PROPERTY OF SAN AWARE THAT THE PROPERTY OF	FEE IS NON-REFUNDABLI PLYING WITH THE RULES CUPATION I AM APPLYING EVE ME FROM OBTAINING R FEDERAL LAW. I AM AV I COMPLYING WITH ALL O BUILDING, ZONING, AND HE GRANTING OF A POLICE	E. I AM AV S AND REG G FOR. I A G PERMITS VARE THA APPLICAB	VARE THAT FULATIONS I M AWARE T OR APPROV T THE GRAN LE LOCAL, S	I AM RESPONSIBLE RELATED TO THE THAT THE GRANTING VALS REQUIRED BY NTING OF A POLICE STATE, AND FEDERAL
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Rev. 07/17/06 cfp



SAN DIEGO POLICE DEPARTMENT PERMITS AND LICENSING UNIT





STATEMENT OF UNDERSTANDING - RULES AND REGULATIONS

PLEASE READ CAREFULLY

The massage therapist permit is not a license to operate a massage business. In order to legally perform a massage, you also need an off-premise massage business permit, or massage establishment permit, or be a bona-fide employee of the following:

- 1. Someone who possesses a massage establishment permit; or
- 2. Someone who possesses a Holistic Health Practitioner Business permit pursuant to Division 44; or
- 3. Someone who is a state licensed individual who is exempt pursuant to SDMC 33.3513, e.g., physicians, surgeons, chiropractors, physical therapists, etc. The exempt individual has to be physically present at the location while the massage is administered.

If you are a massage therapist working for any individual or business and you are not on their payroll because you are self-employed or treated as an independent contractor, then you are not considered an employee. If you are operating from a fixed location and not an employee of a licensee or exempt individual as stated above, you will need a massage establishment permit. A massage therapist cannot rent space. Any person desiring to engage in off-premise massage must also obtain an off-premise massage business permit. You cannot use an off-premise massage permit to operate from a fixed location.

Definitions:

"Massage Therapist" - means any person who gives or administers a massage to another person, for any form of consideration whatsoever.

"Massage" - means any method of pressure on, or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating the external parts of the human body with the hands or other parts of the body, with or without the aid of any mechanical or electrical apparatus or appliances, or with or without supplementary aids such as rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointments or other similar preparations commonly used in this practice.

"Off-Premise Massage Therapist Business" - means the business of providing massage services by appointment at a location other than premises licensed as a massage establishment. It includes massage therapists who provide off-premise massage services and who are self-employed and/or who contract with or work for a business other than a massage establishment.

"Massage Establishment" - means a fixed place of business where any person engages in massage.

"State-approved school" - means any school or institution within the United States, which is approved by the state in which it resides, for the teaching of massage.

"Particular anatomical areas" - means the pubic region, human genitals, perineum, anal region, and the area of the female breast that includes the areola and the nipple.

The following is only a summary of the regulations. You are responsible for being familiar with and complying with all the rules and regulations related to massage. Copies of the Massage Ordinance and General Divisions for police regulated activities may be obtained from the City Clerk's office located at 202 C Street, 2nd Floor, Telephone # (619) 533-4000 or via the City's website: www.sannet.gov/ (Department, City Clerk, Documents, Municipal Code), SDMC Chapter 3, Article 3, Division 35 and Divisions 1-5).

PD-2028

Rev: 10/12/07 BSP

Please initial each line:

	33.0105 - PERMIT DISPLAYED - Each licensee or permittee shall, at all times when requested, exhibit said license or permit to any peace officer or person doing business with the permittee. You should, therefore, have your original massage therapist permit available when conducting massage. Copies are unacceptable. Any permittee engaged in business at a fixed location must also post a copy of their permit in a conspicuous place in the business.
,	33.0308 - RENEWAL RESPONSIBILITY - A permit shall be valid for a period of one year from the date of issuance. It is the responsibility of the permit holder to renew the permit no later than 10 calendar days after the expiration date. Failure to renew or time will result in penalty fees. If a renewal is not completed with all fees and penalties paid within 30 days after the permit expiration date, the permit expires and business operations, occupations, or activities allowed by the permit must cease and the permittee must begin the application process as a new applicant. The Police Department is not required to send a renewal notice and the failure to send such notice shall not affect the validity of any late fee or permit expiration.
	33.0312 - CHANGE OF EMPLOYERS - Massage Therapists and Massage Trainees must notify the Chief of Police in writing of any change of employment within 15 calendar days of changing to the new employer.
	33.3512 - MASSAGE TRAINEES - A trainee massage therapist permit is only valid for two years from the date of issuance. If a trainee does not obtain a massage therapist or off-premise massage therapist permit within two years, the trainee permit becomes null and void. A trainee permit may not be extended or renewed. The Chief of Police may require proof that a trainee is receiving ongoing instruction during the two-year period. The employer must be on the premises when the trainee provides off-premise massage services. The trainee must comply with all other regulations applicable to massage therapists.
	33.3513 - EMPLOYEES OF EXEMPT INDIVIDUALS - Any person conducting massage for an exempted class individual must possess a massage therapist permit and shall comply with all massage regulations. A massage technician employed by an exempted class individual must work under the direction and control of that individual who must be physically present at the location where the massage is being administered. A massage therapist cannot rent office space or workspace at an exempt individual's location. The massage therapist must obtain a massage establishment permit.
	33.3514 (b)—RENEWAL FOR MASSAGE THERAPIST PERMIT - In order to renew a massage therapist or off-premise massage therapist business permit, the permittee must provide proof of twelve hours of continuing education in massage therapy. The continuing education hours must be obtained from a facility or organization approved by the NCBTMB or the NCCAOM, or a state-approved school or any other certification organization recognized by the Chief of Police
	33.3514 (c)—RENEWAL FOR MASSAGE THERAPIST PERMIT - The permittee must show proof that the permittee's national certification is current. Proof from NCBTMB, NCCAOM, or any other certification organization recognized by the Chief of Police, is sufficient.
	33.3514 (d)—RENEWAL FOR MASSAGE THERAPIST PERMIT - This section does not apply to off-premise massage business permit holders described in Section 33.3508 (c).
· · · · · · · · · · · · · · · · · · ·	33.3515 - EQUIPMENT & CLEANLINESS REQUIREMENTS FOR MASSAGE ESTABLISHMENTS - Establishments must maintain equipment and facilities in a sanitary manner as detailed in Sections 33.3515 (a) through 33.3515(i).
	33.3517(a) - MASSAGE ESTABLISHMENT HOURS OF OPERATION AND SERVICES- It is unlawful for any person to allow the establishment to be open between 12:00 a.m. and 6:00 a.m. All customers, patrons and visitors must be excluded from the premises during these hours.
	33.3517(b) - MASSAGE ESTABLISHMENT POSTING OF SERVICES - A list of services available and the cost of such services shall be posted in an open and conspicuous public place on the premises. The services must be described in readily

understandable language. No services other than those posted are allowed.

Massag Stateme Page 3	ent of Understanding-Rule	s and Regulations		
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	massage establishment of	or off-premise massage business, streas" are fully covered. This substreas	age therapist, while performing any task or shall be present in any room with another p section does not apply to momentary nudity	erson unless the person's
	33.3524(b) - PARTICUL with the business of mas	AR ANATOMICAL AREAS - N sage, shall massage or intentional	To massage therapist, while performing any t ly touch the particular anatomical areas of a	ask for service associated another person.
	33.3524(c) - NAME TAG as it appears on the police	G REQUIRED – While working a se permit.	massage therapist must wear a nametag conta	aining the therapist's name
	33.3524(d) - SANITAR' in clean or safe condition	ℓ REQUIREMENTS – It is unlaw 1.	ful to use towels, linens or instruments durin	g the massage that are not
	33.3524 (e) - HOURS O	F OPERATION - It is unlawful to	provide massage services between 12:00 a	a.m. and 6:00 a.m.
	treatment. The advisal	REQUIRED - Permittee shall insurmay be (1) posted in the room of in any other manner approved be	re that patrons are advised of SDMC Section where the massage is conducted, or (2) coy the Chief of Police.	33.3524 (a) & (b) prior to ontained in patron intake
-	or contracts with other of comply with all applicab	f-premises massage therapists to d	ΓΥ - Any off-premise massage business perm to off-premise massage is responsible for ens also make reasonable efforts to prevent crimits a for revoking the permit.	suring that those therapists
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or my er	ead and understand the Sar mployment in a police reg & Licensing office.	Diego Municipal Code requirement ulated occupation, I understand the	ents listed above. If I have any questions reg nat I may schedule an interview with a repre	arding these requirements sentative from the Police
Sign and	d Date:			
	DATE	SIGNATURE	PRINTED NA	AME

PD-2028 Rev. 10/12/07 BSP

Received by:

Live Scan Fingerprint Information

$\label{lem:municipal} \textbf{Municipal Code §33.0304-Applicant and Employees to Furnish Fingerprints and Photographs}$

For the purpose of investigation and for regulation of the occupation or business during the time it is licensed, applicants, responsible persons, managers, or employees may be required to furnish their fingerprints and photographs. Fingerprints must be taken by a governmental agency. The Chief of Police shall forward the fingerprints to the Identification Division of the State of California, Department of Justice, or the Federal Bureau of Investigation, for identity confirmation and criminal histories.

The following are acceptable US Governmental Agencies located in San Diego County:

CHULA VISTA

Chula Vista Police Department 315 Fourth Street Chula Vista, CA 92010 (619) 409-5954 M - F (8am-12pm) Appointments Only M - F (1pm-4pm) Appointments Only www.chulavistapd.org

LA JOLLA

UCSD Police Department 9500 Gilman Dr #0017 La Jolla, CA 92093 (858) 534-4361 **Appointments Only** M - F 9am-3pm

SAN DIEGO

San Diego City Schools Police Services/EOC Bldg 4100 Normal St
San Diego, CA 92103-2682
(619) 725-7015 **Appointments**(619) 725-7014 (Information)
T – F (8:30am-1pm) **Walk In**T – F (2pm-4pm) **Appointments Only**Not open to general public on Monday's Closed School Holidays

SAN DIEGO - LSID X54/ML1

San Diego Community College Police 1536 Frazee Road, 1st Floor San Diego, CA 92108 Contact: (619) 388-6416 M-Th (7:30am-5pm) Wlk F (7:30am-12 noon) Wlk E-mail address: dpicou@sdcc.edu **ESCONDIDO**

Escondido Police Department 700 W Grand Ave Escondido, CA 92025 Contact: (760) 839-4431 M - F (9:00am-3:30pm) Appointments Only

LA MESA

La Mesa Police Department (Storefront)
6119 Lake Murray Blvd
La Mesa, CA 91942
(619) 667-1342
M, T, W (10am-4pm) Appointments/Walk
In
Th, F (9am-3pm) Appointments/Walk In

SAN DIEGO

San Diego State University 5500 Campanile Dr SSE-1410 San Diego, CA 92182 (619) 594-3193 M - F (8am-4pm) **Appointments Only**

REQUEST FOR LIVE SCAN SERVICE BCII 8016 (3/07)

Applicant Submission			
ORI: CA 0371100	Type of Application:	Massage Parlor Establishn	nont
Code assigned by DOJ Job Title or Type of License, Certification or Permit: Massage Establishment			
Agency Address Set Contributing Agency:			
San Diego Police Departme Agency authorized to receive criminal his P. O. Box 121431 MS 735 Street No. Street or PO Box	tory information	08228 Mail Code (five-digit code assigned l	by DOJ)
C D'	92112-1431 Zip Code	Contact Name (Mandatory for all school	nool submissions)
Name of Applicant: (Please print) Last		,	
Alias:		First	MI
Last	First	Driver's License No:	
Date of Birth: S	ex: Male Female		
Height: Weight:		Ag Misc. Number:	ency Billing Number
Eye Color: Hair Colo		Home Address:	
Place of Birth:		Street No.	Street or PO Box
Social Security Number:		City, State and	Zip Code
Your Number:			
OCA No. (Agency If resubmission, list Original ATI Number:	Identifying No.)	Level of Service: V DOJ	√ FBI
Employer: (Additional response for agencies s	specified by statute)		
Not Applicable	,		
Employer Name			
Street No. Street or PO Box	Ma	ail Code (five digit code assigned by DOJ)	· .
City State	Zip Code (Ag) ency Telephone No. (optional)	
Live Scan Transaction Completed By:			
	Name of	f Operator	Date
Transmitting Agency	ATI No.		Amount Collected/Billed